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8 **UNITED STATES BANKRUPTCY COURT**
9 **DISTRICT OF NEVADA**

10 In re: CASE NO. BK-N-09-54025-gwz
11 ROB E. LEWIS AND RENE E. LEWIS, Chapter 13
12 Debtor(s). **MOTION FOR APPROVAL TO ALLOW**
MODIFICATION OF DEBTORS' FIRST
MORTGAGE

13
14 Hearing Time: October 8, 2010
Hearing Time: 2:00 p.m.

15 _____/
16 ROB E. LEWIS AND RENE E. LEWIS ("Debtors"), by and through their counsel,
17 DARBY LAW PRACTICE, LTD. hereby move this Court for Approval to Modify Debtors' First
18 Mortgage as follows:

20 1. Debtors filed the above captioned Chapter 13 bankruptcy case on November 11,
21 2009.

22 2. Debtors' Chapter 13 plan of reorganization was confirmed on April 23, 2010. The
23 Debtors agreed to retain their primary residence through their Chapter 13.

25 3. Wells Fargo Home Mortgage ("WFHM") offered Debtors a loan modification of
the Debtors first mortgage on August 14, 2010 (the "Loan Modification"). Attached to the
26 Declaration of the Debtors as Exhibit "1" is a true and correct copy of the loan modification offer.
27 The terms of the Loan Modification are set forth in detail in Exhibit "1".

4. Debtors desire to accept the proposed Loan Modification of their home loan offered by WFHM.

5. WFHM requires Court approval of the Loan Modification to generate the final loan documents to complete the Modification.

6. Debtors request that the approval of this Loan Modification be final and binding on WFHM and the Debtors and that the Loan Modification not be contingent on the successful completion of Debtors' chapter 13 plan of reorganization or obtaining a discharge in this case.

7. Upon completion of the Loan Modification, WFHM will withdraw any proof of claim filed in Debtors' case.

8. Debtors and WFHM should be permitted to generate and execute the final loan documents to complete the Loan Modification of Debtors' first mortgage.

9. Debtors have filed a proposed modification of their Chapter 13 Plan to be heard concurrently with this motion.

10. Debtors respectfully requests Court approval to allow the modification of
Debtors' first mortgage on the terms provided herein.

DATED this 5th day of September, 2010.

DARBY LAW PRACTICE, LTD.

/s/ Tricia M. Darby

By: _____
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